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LB 366

PRESIDENT MAURSTAD: One minute.

SENATOR CHAMBERS: ...they would have to have had some kind of authority under the then existing law to do it. Would you agree?

SENATOR RAIKES: Yes. And they believe they did, I think.

SENATOR CHAMBERS: Why then was this bill enacted? Why are we enacting a bill when the counties have been doing this, and the Legislature believes they had the authority under the existing law to do it.

SENATOR RAIKES: I think the best answer to that, Senator, is that some counties believed they had the authority, given the way they read the statute; others believed they did not. So this was an attempt to make it clear that this is the policy. Or, this bill is such an attempt.

SENATOR CHAMBERS: Thank you, Mr. President. I've got my light on.

PRESIDENT MAURSTAD: Senator Chambers, you can continue.

SENATOR CHAMBERS: Thank you. Senator Raikes, here's what I'm getting at. When we pass a law, if there is doubt as to what the law means, why...let me strike that. Was there some county that came in here and asked for this bill?

SENATOR RAIKES: Yes. Lancaster County was particularly interested in this, Senator.

SENATOR CHAMBERS: Why didn't they go to court to get a declaratory judgment...

SENATOR RAIKES: I can't answer that...

SENATOR CHAMBERS: ...to find out what the law means?

SENATOR RAIKES: I can't answer that question, Senator.